

DELEGATED

AGENDA NO
PLANNING COMMITTEE

22nd July 2015

REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES

15/0762/FUL

30 Fir Tree Close, Hilton, Stockton-On-Tees

Raising of existing roof height by 0.6 metres, installation of 1.no roof light in front elevation, 2.no roof lights in rear elevation to facilitate loft conversion, single storey extension to front and side of existing garage and new pitched roof, erection of two storey to rear including juliet balcony and erection of oak framed canopy to front entrance

Expiry Date 3 August 2015

SUMMARY

The application site is a detached bungalow situated at 30 Fir Tree Close in Hilton. The property has residential properties located to the north, east and west with open fields located along the southern boundary, with Fir tree Close located along the northern boundary of the site.

Planning permission is sought to allow for the increase in the roof height of the existing bungalow and garage, for a two storey extension to the rear and for extensions to the existing garage. The scheme also includes a 'Juliet' balcony, oak framed canopy to the entrance and the introduction of roof lights

Six objections have been received to the application and an objection comment has been received from Hilton Parish Council. In summary, the main issues raised include the negative impact on standards of living, the impact on views from neighbouring properties, the overdevelopment of the site, impact on drainage and potential subsidence and the impact of the development on the character and appearance of street scene.

The proposal is considered to be a sustainable form of development which fits in with the mixture of property design within the street scene and is considered to be entirely consistent with both National and Local Planning Policy context. Despite the concerns of the local residents, the proposal is considered to have no impacts on highway safety and there are considered to be no adverse impacts on residential amenity or any flood risk implications.

RECOMMENDATION

That planning application 15/0762/FUL be approved subject to the following conditions and informative:-

- 01 **Approved plans:**
The development hereby approved shall be in accordance with the following approved plan(s);

<i>Plan Reference Number</i>	<i>Date on Plan</i>
003B	2 July 2015

Highways Comments

In accordance with SPD3: Parking Provision for Developments 2011, a 3 bedroom property should have 2 incurtilage car parking spaces. The required parking has been provided therefore no highway objections are raised.

Landscape & Visual Comments

This proposal has no landscape or visual implications.

Hilton Parish Council

At its last meeting Hilton Parish Council received a number of concerns about this planning application for 30 Fir Tree Close. An existing one bed roomed bungalow is planned to be a three bedroomed two storey property.

The significant increase in length, width and height will have a large impact on neighbouring homes in respect to privacy as the new building will overlook adjoining gardens, etc. The application also envisages a 'Juliet' balcony which further impacts on other residents' privacy.

The continued expansion of homes in Hilton mean that few small properties will remain which reduces the mix of residents in the village since young people cannot afford the properties and they are too large for older people looking to downsize.

This large house will not be in keeping with other properties in the road which are mainly bungalows or dormer style homes - all of individual design.

The increase in the footprint of the property also has an impact on water issues and flooding has been a problem in parts of Hilton for some time.

The Parish Council thus resists this objection to the application.

PUBLICITY

6. Neighbours were notified and 6 objections were received from the following addresses and are summarised below:-

Dr Michael and Mrs Margaret Wood, 28 Fir Tree Close, Hilton

Mrs Doreen Portus, 26 Fir Tree Close, Hilton

Mr Ian and Mrs Mary Drinkel, 24 Fir tree Close, Hilton

Annette Donaldson, 32 Fir Tree Close, Hilton

Objections

- Serious impact on standard of living of the neighbouring properties
- Detrimental impact on privacy of neighbouring properties, particularly the Juliet balcony to rear
- Out of character with the existing bungalows in this stretch of Fir Tree Close
- Scale and proportions of extension out of character with original property and street scene
- Chimney to the side will face neighbouring window
- Impact on shared drainage and if passed require a condition to ensure debris/cement washing not block drains
- Excavation may create issues on the water table and subsidence to the neighbouring properties which due become waterlogged
- Request condition if approved in relation to the delivery times to limit traffic movement

PLANNING POLICY

7. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area,

unless material considerations indicate otherwise. In this case the relevant Development Plan is the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan.

8. Section 143 of the Localism Act came into force on the 15 Jan 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application [planning application] the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations

National Planning Policy Framework

9. Paragraph 14. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking;

For decision-taking this means:

approving development proposals that accord with the development without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or-
- specific policies in this Framework indicate development should be restricted.

10. The following planning policies are considered to be relevant to the consideration of this application:-

Core Strategy Policy 2 (CS2) - Sustainable Transport and Travel

3. The number of parking spaces provided in new developments will be in accordance with standards set out in the Tees Valley Highway Design Guide.
Further guidance will be set out in a new Supplementary Planning Document.

Core Strategy Policy 3 (CS3) - Sustainable Living and Climate Change

8. Additionally, in designing new development, proposals will:

- _ Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;
- _ Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;
- _ Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;
- _ Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.

Saved Policy HO12 of the adopted Stockton on Tees Local Plan

Where planning permission is required, all extensions to dwellings should be in keeping with the property and the street scene in terms of style, proportion and materials and should avoid significant loss of privacy and amenity for the residents of neighbouring properties.

Permission for two-storey rear extensions close to a common boundary will not normally be granted if the extension would shadow or dominate neighbouring property to a substantial degree.

Permission for two-storey side extensions close to a common boundary will not normally be granted unless they are set back from the boundary or set back from the front wall of the dwelling

Supplementary Planning Guidance 2 – Householder Extension Guide (SPG2) Relevant extracts

2.7. Although every application is assessed on its own merits, the Local Planning Authority would normally seek a minimum separation distance of 21 metres between the windows of the main habitable rooms (for example bedrooms and living rooms) of the proposed extension that face windows of the neighbouring property. Where a side extension would face the side of the neighbouring property (or a rear extension would face the side of the neighbouring property) a gap of 11 metres is normally required between the windows of the main habitable rooms to prevent overlooking.'

Rear Extension

6.2 "... Any extension which project further than 3 metres will be subject to the 45 and 6 degree rules as explained below.'

6.3 ' In order to assess the impact of a single storey extension on a neighbouring property, the Council will apply the 60 degree rule guidance'. This is simply a line drawn at 60 degrees from the centre of the neighbour's nearest window of a habitable room. Your extension should not cross that line otherwise there could be an unacceptable impact on the amenity of the neighbouring property.

6.4 For a two-storey extension or upper floor extension the same principle applies, but this time the angle is reduced to 45 degrees as there would be significantly more bulk to block out light and increase overlooking.

MATERIAL PLANNING CONSIDERATIONS

11. The main planning considerations are the impacts on the amenity of the neighbouring properties, the impact on the character and appearance of the street scene and the impacts on highway safety, along with any other matters arising out of consultation.

Amenity of neighbouring properties

12. The National Planning Policy Framework (NPPF) comments within paragraph 17 that one of the overarching roles of the planning system is that any new development should "Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings". In addition saved local plan policy HO12 states that all extensions to dwellings should "...avoid any significant loss of privacy and amenity for the residents of neighbouring properties". The impacts on neighbouring residents are considered below;

28 Fir Tree Close

13. The neighbouring bungalow to the west is 28 Fir Tree Close which has habitable room windows located on the side elevation which face towards the applicant's dwelling, there is also a slight change in levels between the properties with the applicant's property at a slightly lower level. The proposal will provide an additional en-suite window on the side elevation of the original property and two windows on the ground floor side elevation of the two-storey extension which face towards 28 Fir Tree Close. In considering the associated impacts, the en-suite window could be installed under permitted development regulations and does not require permission. The two additional windows on the two-storey extension will be approximately 7 metres from these neighbour side elevation and taking the separation distance into consideration the proposal is not considered to have a significant impact on the privacy or amenity of these neighbours.

14. The Juliet balcony to the rear of the two-storey extension will face towards the applicant's rear garden area and although it may provide some limited views towards the rear garden area of

the neighbours at 28 Fir tree Close it will not face directly towards any habitable room windows with the majority of the neighbours garden area remaining private.

15. The increase in the garage roof height and the main dwelling roof height will be positioned a minimum of 2 metres from the boundary and approximately 5 metres from the side elevation of 28 Fir Tree Close, the two-storey extension to the rear will also be sited a minimum of 7 metres from these neighbours. The proposed two-storey extension accords with the 45 degree rule guidance set out in SPG2 in terms of potential overbearing impact. Consideration has been given to the fact the neighbours property is a bungalow and to the slight change in levels between the properties. Taking these factors into consideration, the proposal is not considered to have an overbearing impact on these neighbours or to result in any significant loss of light.

32 Fir Tree Close

16. The eastern boundary is shared with a detached bungalow 32 Fir Tree Close. The rear elevation of the neighbours property is set back approximately 5 metres from the applicant's dwelling and due to the levels change is sited slightly lower on the street scene. The two ground floor windows on the two-storey extension will be the only additional windows which will directly face towards the shared boundary between both properties. These windows will not face towards any habitable room windows of the neighbours and there will remain a separation distance of approximately 8 metres to the side elevation. The proposed Juliet balcony will face the applicant's rear garden area and provide limited views of a small section of the neighbours rear garden area, leaving the majority as private amenity space. Taking these factors into consideration, the proposal is not considered to have a significant impact on the privacy or amenity of these neighbours.
17. The increase in roof height of the original property will be an overall increase of 0.6 metres from the original ridge line roof height with the eaves height along the boundary with 32 Fir Tree Close remaining the same. The ridge line roof height will be located a minimum of 5.5 metres from the shared boundary. The alterations will be sited to the west of these neighbours. The two-storey extension to the rear accords with the 45 degree rule guidance set out in SPG2 in terms of potential overbearing impact. Overall, taking these factors into consideration, the proposal is not considered to have a significant impact in terms of overbearing or loss of light.

2 Fir Tree Close

18. Opposite the applicant's dwelling to the north is the front elevation of 2 Fir Tree Close. There will remain a minimum separation distance of approximately 45 metres between the proposal and these neighbours and the proposal is not therefore considered to have a significant impact on their amenity.

Character and Appearance

19. The property is located within a cul-de-sac in Hilton village which has a mixture of house types and house designs (including dormer windows) with bungalows being located on either side of the application site. In addition there is no uniform building line along this side of Fir Tree Close and the increased height and external changes to the principle elevation and garage are not considered to be significant. The two storey extension to the rear will also largely be hidden from view and despite the increase in the footprint of the dwelling, the size of the original plot means that the scale of extension and garage is considered to be acceptable with over two thirds of the private amenity space remaining, according with the guidance within SPG2.
20. Although the proposed alterations will significantly alter the appearance of the existing dwelling, it is noted that planning approval has also been granted at 34 Fir Tree Close, to increase the roof height of the existing bungalow from 5 metres to 6.6 metres, replace the flat roof garage with a pitched roof (increasing the height from 2.8 to 6.2 metres) and for the provision of a two storey extension (including Juliet balcony) to the rear in 2008 (08/3505/FUL).

21. On balance, considering the variety of house types and designs within the existing street scene and considering the previous approval at 34 Fir Tree Close, this proposal is not considered to have a significant impact upon the visual amenity of the street scene or the character of the area and accords with Core Strategy Policy CS3(8) and HO12.

Highway Safety

22. The proposal will increase the number of bedrooms at the property to three bedrooms while also increasing the width of the existing garage. In addition to the garage parking provision, the property has a large driveway located to the front and sufficient parking is provided. The Highways, Transport and Environment Manager therefore raises no objection to the scheme.

Residual Issues

23. Concerns have been raised that the scale of the excavation would potentially affect the water table and create flooding issues or potential subsidence. The Council's Flood Risk officers have considered the plans and are satisfied that the development will not increase the risk of flooding or affect the water table.

24. Objections raised in respect of the loss of one bedroomed properties in Hilton and the potential loss of mixed communities have been noted but are not material planning considerations.

CONCLUSION

25. It is considered that the proposed development is visually acceptable and has no significant impacts on amenity or highway safety. The proposal accords with policies CS2 and CS3 of the Core Strategy and saved policy HO12 of the local plan and is recommended for approval subject to the conditions within this report.

Corporate Director of Development and Neighbourhood Services
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WARD AND WARD COUNCILLORS

Ward Ingleby Barwick East
Ward Councillors Kevin Faulks, Gillian Corr, Sally Ann Watson

IMPLICATIONS

Financial Implications: There are no known financial implications

Environmental Implications: As set out within the report

Human Rights Implications: The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

Community Safety Implications: The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report

Background Papers

Stockton on Tees Local Plan Adopted 1997
Core Strategy – 2010

Supplementary Planning Guidance Notes
Householder Extensions

Supplementary Planning Documents
SPD3 – Parking Provision for Development